## REMARKS

Applicants have now had an opportunity to carefully consider the Examiner's comments set forth in the Office Action of November 22, 2005. Claims 1, 6, 12 and 13 were amended. New claims 19-21 were added and claim 5 was canceled. Currently pending claims include claims 1-4, and 6-21.

## The Office Action

Claim 1 was amended to include the limitation of the calling party request voicemail retrieval notification as claimed in claim 5 which formerly depended from claim 1. The Examiner rejected dependent claim 5 under 35 U.S.C. 103(a) as being unpatentable over by Smith US 6,333,973 in view of White et al. US 6,069,890. The Examiner stated that Smith teaches sending a reply (voicemail retrieval notification acknowledgement message) to the calling party indicating that the called party has retrieved the voicemail message as shown in column 9, lines 44-50. However, Smith does not teach generating or sending a voicemail retrieval notification acknowledgement message. Rather, Smith teaches sending a voicemail notification message to the called party indicating that the called party has received a voicemail message. This is different than the voicemail retrieval notification acknowledgement message indicating that the called party has retrieved their voicemail message claimed by the Applicant in claim 1.

White et al. teaches only of prompting the calling party if he/she is requesting that the called party send a reply in response to the calling-party-to-called-party voicemail message. The Examiner stated this would make it obvious for the calling party to request voicemail retrieval notification from the wireless communications system. However, these two approaches are very different. The calling party will not receive the voicemail retrieval notification acknowledgement message if the called party does not specifically respond to the calling-party-to-called-party voicemail message. This is no different than known systems requiring the called party to act. The invention as claimed in amended claim 1 claims the wireless communications network generating the voicemail retrieval notification acknowledgement message, not the called party. Neither White nor Smith teaches or suggests this.

Further, neither Smith nor White teaches or suggests sending the calling

party a voicemail retrieval notification acknowledgement message indicating that the called party has retrieved their voicemail message, so the combination of Smith and White et al does not teach this. Thus, claim 1 as amended is patentable over the combination of Smith and White et al.

The Examiner rejected claim 12 under 35 U.S.C. 102(b) as being anticipated by Kim US 2002/0006782. Claim 12 was amended to recite sending a voicemail retrieval notification acknowledgement voice message to a calling party indicating that a called party has retrieved a calling-party-to-called-party voicemail message. Kim does not teach or suggest sending a voice message to the calling party indicating that the called party has retrieved his/her voicemail message. Claim 12, as amended, is patentable over Kim.

Further, the Examiner rejected claim 12 under 35 U.S.C. 102(b) as being anticipated by Smith. However, Smith does not teach generating or sending a voicemail retrieval notification acknowledgement message. Rather, Smith teaches sending a voicemail notification message to the called party indicating that the called party has received a voicemail message. Accordingly, claim 12, as amended, is patentable over Smith.

Examiner rejected claim 13 under 35 U.S.C. 102(b) as being anticipated by Kim. Claim 13 was amended to include the limitation of means for enabling the calling party to request voicemail retrieval notification. Kim does not teach or suggest enabling the calling party to request this and therefore, claim 13 is patentable over Kim.

Examiner also rejected claim 13 under 35 U.S.C. 102(b) as being anticipated by Smith. However, as discussed above, Smith does teach or suggest sending a voicemail retrieval notification acknowledgement message to the calling party. Rather, Smith teaches sending a sending a voicemail notification message to the called party indicating that the called party has received a voicemail message. Therefore, claim 13, as amended is patentable over Smith.

## CONCLUSION

For the reasons detailed above, it is respectfully submitted all claims remaining in the application (Claims 1-4, and 6-21) are now in condition for allowance. The foregoing comments do not require unnecessary additional search or examination.

In the event the Examiner considers personal contact advantageous to the disposition of this case, he/she is hereby authorized to telephone Patrick D. Floyd, at (216) 861-5582.

Respectfully submitted,

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May 22, 2006
Date

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